

Exhibit 1: Brooks Atkinson Theater

Exhibit 1A: Entrances

Nederlander shall maintain the entrance to the Theater, including but not limited to the automatic accessible entry doors, in the same condition as set forth on Exhibit 1A, attached (i.e., in the same condition as they existed for the Government's inspection conducted on July 21, 2011).

Exhibit 1B: Architectural Modifications

Nederlander shall make the architectural modifications set forth in Exhibits 1A and 1B.

Exhibit 1C: Seating

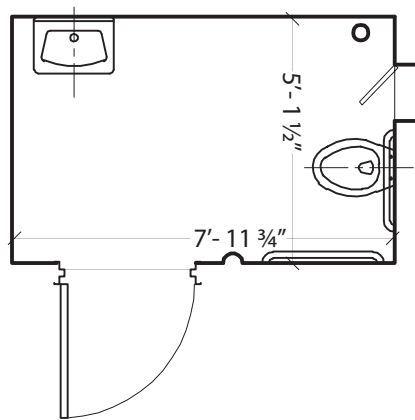
Nederlander shall implement the seating plan attached hereto as Exhibit 1C.

Wheelchair and Companion Seating:

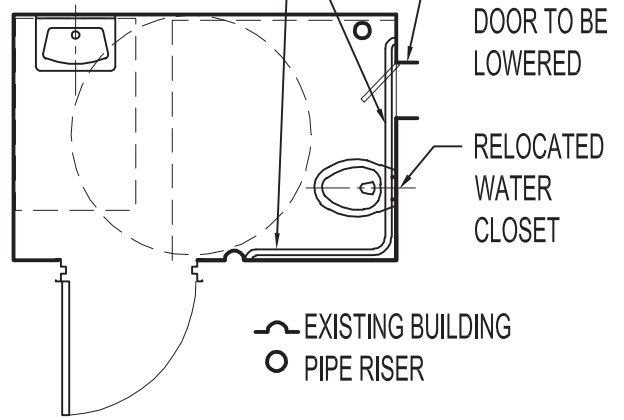
1. Nederlander shall maintain the two existing wheelchair and companion seating locations on the orchestra level, at P1/P3, and P5/P7/P9, which include companion seating locations.
2. Nederlander shall remove the black metal railings surrounding the existing wheelchair seating locations at P1/P3/P5/P7 on the Orchestra level.
3. Nederlander shall add three new wheelchair seating locations at Orchestra AAA101/AAA102/AA101/AA102; at O101/O102/P101/P102; and at O113/O114/P113/P114; with AA103, O103, and O112 being companion seating locations.

Aisle Transfer Seats:

4. Nederlander shall maintain the eight existing aisle transfer seats on the Orchestra level at C101, C114, J101, J114, N101, N114, N26, and P23.
5. Nederlander shall add three new aisle transfer seating locations on the Mezzanine level, at D1, D25 and D26.



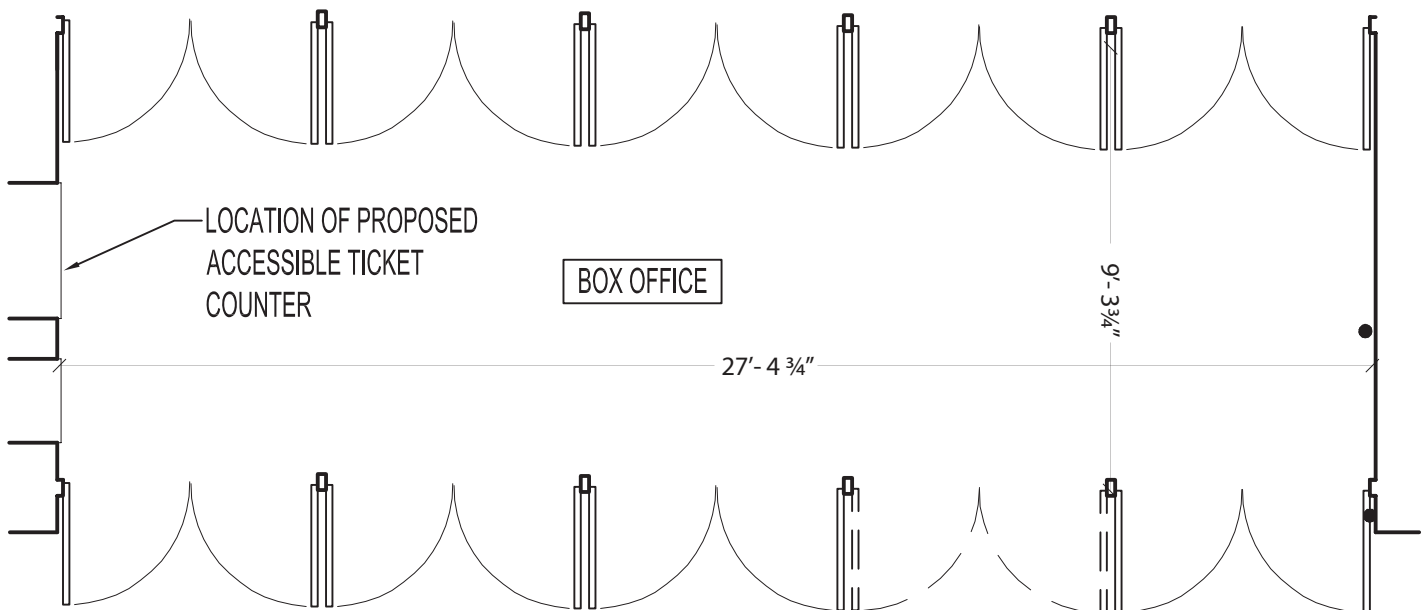
EXISTING CONDITIONS
N.T.S



PROPOSED MODIFICATIONS
N.T.S

1. BROOKS THEATER ORCHESTRA LEVEL ACCESSIBLE TOILET ROOM PLAN

ORCHESTRA



SIDEWALK

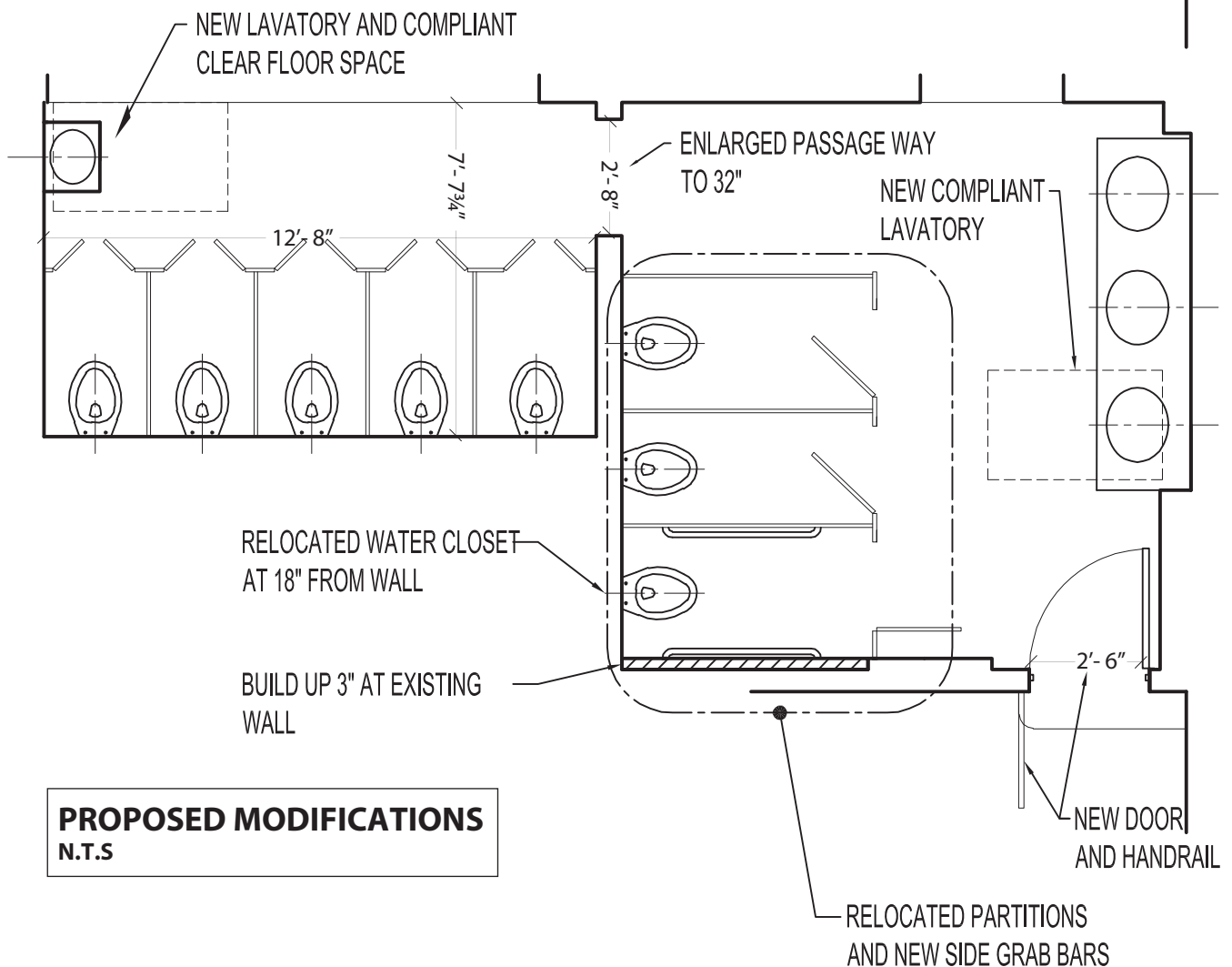
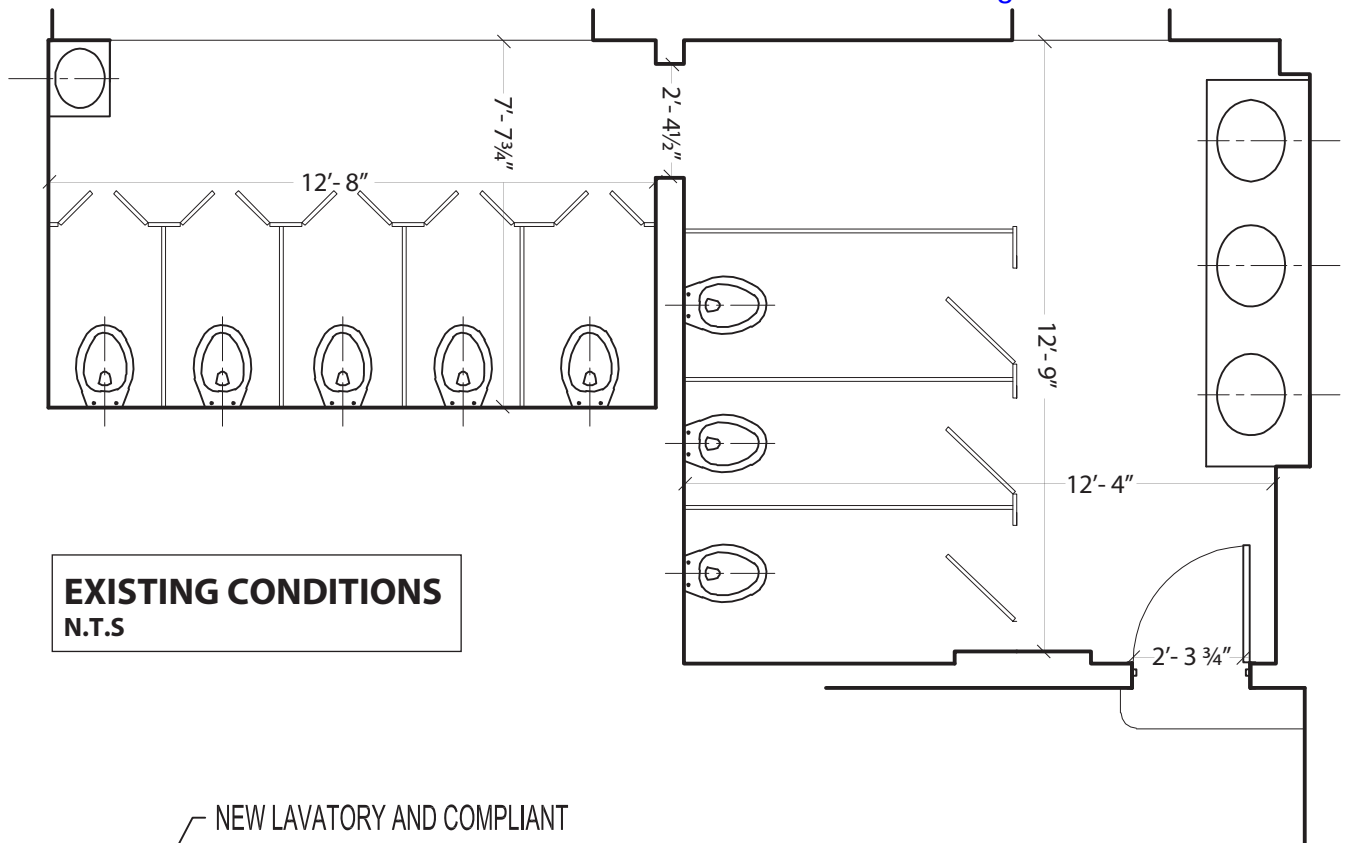
LEGEND

● AUTO OPENER CONTROL BUTTON

||| AUTOMATIC DOOR

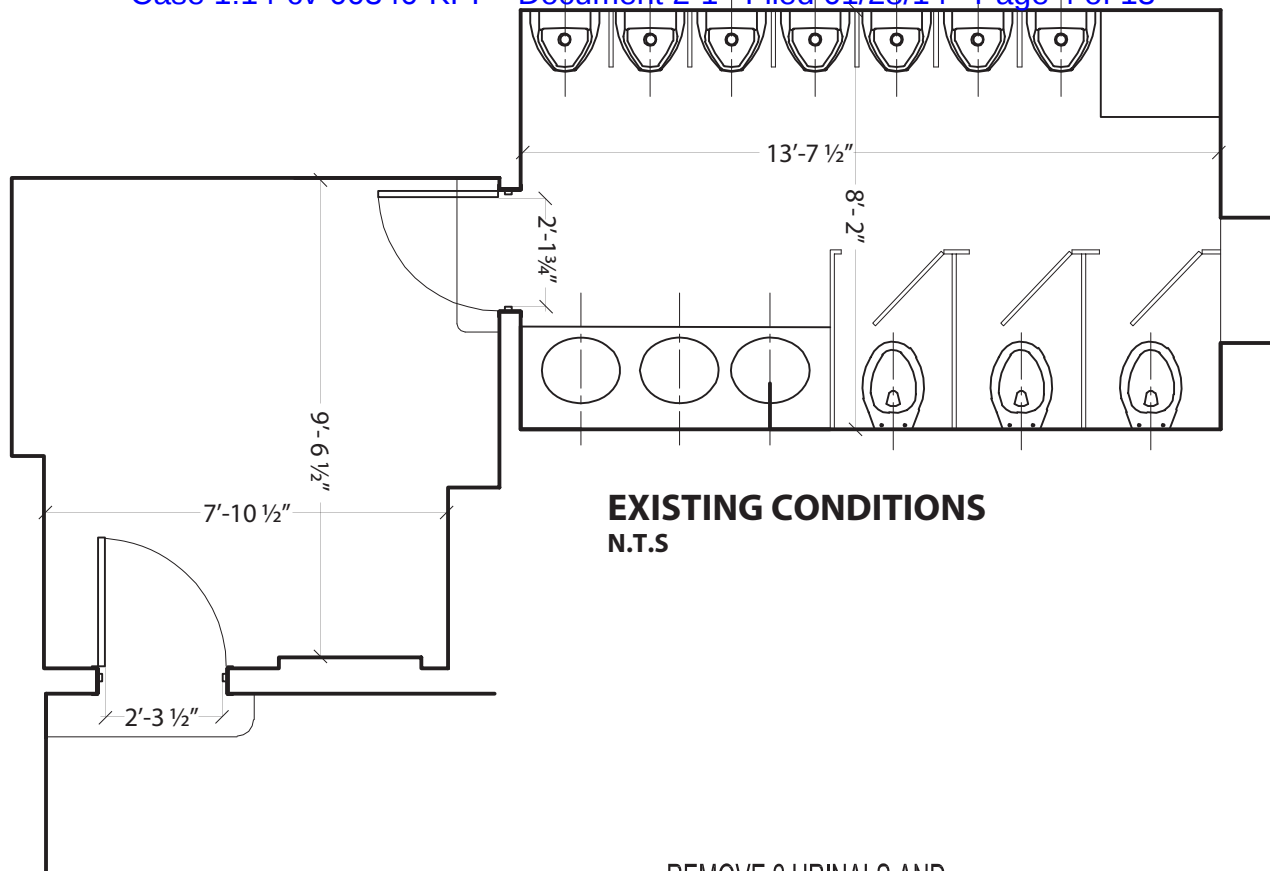
1. BROOKS THEATER BOX OFFICE/ENTRANCE PLAN

DWG **1A.1**

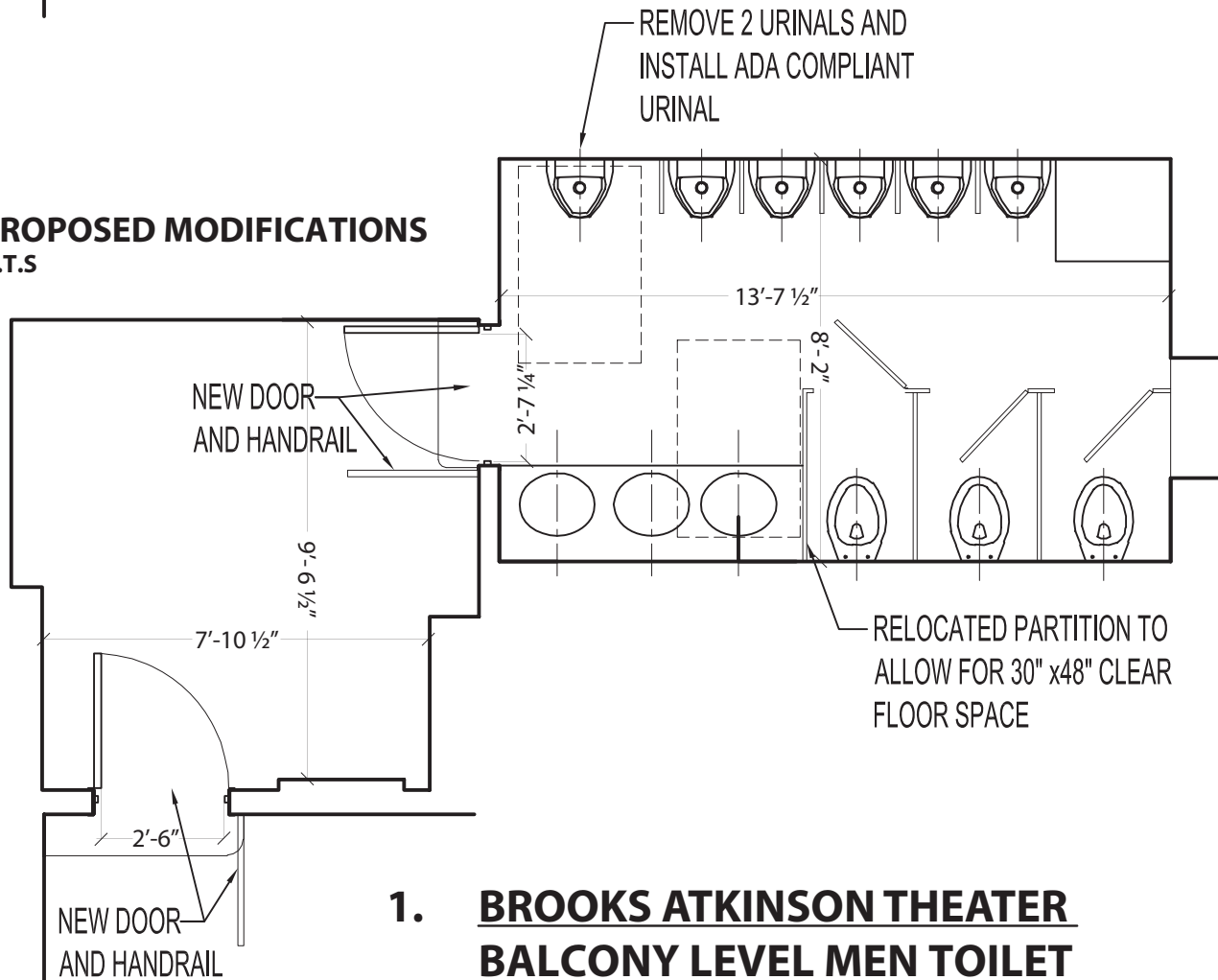


1. BROOKS ATKINSON THEATER
BALCONY LEVEL WOMEN TOILET ROOM PLAN

DWG **1A.2**



PROPOSED MODIFICATIONS
N.T.S



Exh. 1B Architectural Modifications to Brooks Atkinson Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
1	Balcony Level	The concession bar is 44" AFF and has no lower section.	Sales, service, or information counter is higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public.	7.2(2) 4.3	Defendant will provide accessible counter.
2	Men's Toilet Room (Balcony Level)	The mirror is at 54" AFF.	Bottom of mirror reflecting surface is greater than 40" above finish floor.	4.1.3(11) 4.22.6 4.19.6	Defendant will provide compliant mirror.
4	Men's Toilet Room (Balcony Level)	There is one step up into the lounge through a 29" clear width door.	Clearance width less than 32" at doorway (or active leaf of double door).	4.13.5 4.1.3(7), Fig. 24	Defendant will provide compliant door as far as readily achievable, at 30".
5	Men's Toilet Room (Balcony Level)	There is a second step into the toilet room from the lounge through a 26" clear width door which is held open with a hook.	Clearance width less than 32" at doorway.	4.13.5 4.1.3(7), Fig. 24	Defendant will provide compliant passageway.
6	Men's Toilet Room (Balcony Level)	There are 7 urinals between very narrow (18" average width) partitions.	Clearance width less than required in front of urinal (29" or 30" minimum or 36" minimum if in alcove 24" deep).	4.1.3(11) 4.22.5 4.18.3 4.2.4	Defendant will provide compliant width.
7	Men's Toilet Room (Balcony Level)	None are accessible height.	Urinal(s) is(are) provided but there is not an accessible urinal.	4.1.3(11) 4.22.5 4.18.3	Defendant will provide accessible urinals.
8	Men's Toilet Room (Balcony Level)	Entrance to toilet room is up one step from main balcony level without compliant handrails.	Toilet room lounge is not on an accessible route.	4.1.3(1) 4.1.3(3) 4.1.3(4) 4.1.3(7)(c) 4.13.5 Fig. 24	Defendant will provide compliant handrails.
9	Men's Toilet Room (Balcony Level)	Entrance to toilet room from lounge is up a second step from main balcony level without compliant handrails.	Toilet room is not on an accessible route.	4.1.3(1) 4.1.3(3) 4.1.3(4) 4.1.3(7)(c) 4.3.2(3) 4.3.8	Defendant will provide compliant handrails.
10	Men's Toilet Room (Balcony Level)	Signage is mirrored.	Existing signage does not have nonglare finish.	4.1.3(16)(a) 4.30.5	Defendant will provide compliant signage.

Exh. 1B Architectural Modifications to Brooks Atkinson Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
11	Men's Toilet Room (Balcony Level)	Faucet handles require grasping, twisting, and 10-20 pounds of force to operate.	Faucet controls require more than 5 pounds of force and grasping, pinching, or twisting to operate.	4.1.3(11) 4.22.6 4.19.5 4.27.4	Defendant will provide compliant faucets.
12	Men's Toilet Room (Balcony Level)	There are 3 stalls which are approximately 54" deep x 29" wide, none of which have grab bars.	No accessible toilet stall.	4.1.3(11) 4.22	Accessible toilet is provided at Orchestra Level; Defendant will provide signage directing users to that toilet.
13	Men's Toilet Room (Balcony Level)	There are three lavatories that do not provide any knee space. Rims are at 36" AFF.	The counter mounted lavatory rim is above 34" AFF and has no knee clearance (29" minimum AFF at front, 27" minimum AFF at 8" deep).	4.1.3(11) 4.22.6 4.19.2, Fig. 31	Defendant will provide compliant lavatory.
14	Men's Toilet Room (Balcony Level)	The door requires 8 pounds of force to open. This door is binding in its frame and does not close.	The main toilet room entry door is non fire-rated and requires more than 5 pounds of force to open.	4.1.3(7)(c) 4.13.10	Defendant will provide compliant door.
15	Men's Toilet Room (Balcony Level)	Public pay telephone is 64" AFF with side approach only.	The operable parts of the public pay telephone are outside reach range (48" AFF maximum for forward approach and 54" AFF maximum for parallel approach).	4.1.3(17) 4.31 4.30.7 Fig. 44 4.2.4 4.2.5 4.2.6 4.4	Defendant will remove pay telephone.
16	Men's Toilet Room (Balcony Level)		There is no raised lettering and Braille room identification sign provided at this gender specific multi-user toilet room.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.
17	Men's Toilet Room (Balcony Level)	The drinking fountain in the men's lounge is 40" AFF to the spout outlet. The control is located at the top of the drinking fountain at the back side.	There is only one drinking fountain on this floor and it does not meet the requirement to provide service to people who use wheelchairs as well as to those who have problems bending or stooping.	4.1.3(10)(a) 4.15 Fig.27a	Defendant will provide compliant drinking fountain.

Exh. 1B Architectural Modifications to Brooks Atkinson Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
18	Men's Toilet Room (Balcony Level)	The paper towel dispenser is out of reach at 54" AFF in corner above lavatory counter.	Towel dispenser is mounted outside of reach range.	4.1.3(11) 4.22.7 4.27.3	Defendant will provide compliant mounting height.
19	Stairs to Balcony Level	Handrails at stairs do not extend. There are mirror image stairs at the other side of the back of orchestra level seating.	Handrail top extension(s) < 12" and/or bottom extension(s) < 1 tread width at 12".	4.1.3(4) 4.2.4(2) 4.4 Fig. 19 c & d	Defendant will provide handrails extension in compliance with means of egress width requirements.
20	Women's Toilet Room (Balcony Level)	The feminine products dispenser in the adjoining toilet room is 56" AFF to the coin slot and the control requires grasping.	Accessory is mounted outside of reach range and control is not accessible.	4.1.3(11) 4.22.7 4.27.3	Accessible accessories, dispenser and controls will be provided.
21	Women's Toilet Room (Balcony Level)	The mirror is mounted at 48" AFF to the bottom of the reflecting surface.	Bottom of mirror reflecting surface is greater than 40" above finish floor.	4.1.3(11) 4.22.6 4.19.6	Defendant will provide compliant mirror.
22	Women's Toilet Room and Adjoining Toilet Room (Balcony Level)	The mirror is mounted at 45" AFF to the bottom of the reflecting surface in the adjoining toilet room.	Bottom of mirror reflecting surface is greater than 40" above finish floor.	4.1.3(11) 4.22.6 4.19.6	Defendant will provide compliant height of mirror.
23	Women's Toilet Room and Adjoining Toilet Room (Balcony Level)	Adjacent connected toilet room is accessed through a 28" framed opening.	Clearance width is less than 32" at cased opening.	4.13.5 Fig. 24	Defendant will provide compliant clearance width.
24	Women's Toilet Room (Balcony Level)	Toilet room is up 2 steps without compliant handrails through a 29" clear width door.	Toilet Room is not on an accessible route and entrance door has less than 32" of clear width. Steps serving level not served by an accessible route do not have compliant handrails.	4.13.5 4.1.3(7) Fig. 24	Defendant will provide compliant door as far as readily achievable, at 30", with handrails.
25	Women's Toilet Room (Balcony Level)	Signage is mirrored.	Existing signage does not have nonglare finish.	4.1.3(16)(a) 4.30.5	Defendant will provide compliant signage.
26	Women's Toilet Room (Balcony Level)	Faucets require grasping, twisting, and 7 pounds of force to operate.	Faucet controls require more than 5 pounds of force and grasping, pinching, or twisting to operate.	4.1.3(11) 4.22.6 4.19.5 4.27.4	Defendant will provide compliant faucets.

Exh. 1B Architectural Modifications to Brooks Atkinson Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
27	Women's Toilet Room and Adjoining Toilet Room (Balcony Level)	There are 3 stalls at 48" deep, none of which are accessible or have grab bars. There is an adjoining toilet room which has 5 additional stalls, none of which are accessible or have grab bars. These stalls are 48" deep. One of these stalls is 26" wide, three are 29" wide, and one is 33" wide.	There is no accessible toilet stall.	4.1.3(11) 4.22	Defendant will provide an accessible alternate stall.
28	Women's Toilet Room (Balcony Level)	The lavatories have no knee space, countertop rim is 36" AFF.	The counter mounted lavatory rim is above 34" AFF and has no knee clearance (29" minimum AFF at front, 27" minimum AFF at 8" deep).	4.1.3(11) 4.22.6 4.19.2, Fig. 31	Defendant will provide compliant lavatory.
29	Women's Toilet Room (Balcony Level)	Toilet room door requires 21 pounds of force at point where door is binding in the frame and 3 pounds for remaining travel to open position.	The door requires more than 5 pounds of force to open.	4.1.3(7)(c) 4.13.10	Defendant will provide compliant door.
30	Women's Toilet Room Adjoining Toilet Room (Balcony Level)	Lavatories in the adjoining toilet room provide 27" AFF knee space at front edge and 24" AFF at 8" back with the rim at 31" AFF.	The wall hung lavatories have less than the required knee clearance (29" minimum AFF at front, 27" minimum AFF at 8" deep).	4.1.3(11) 4.22.6 4.19.2, Fig. 31	Defendant will provide compliant lavatory.
31	Women's Toilet Room (Balcony Level)		There is no raised lettering and Braille room identification sign provided at this gender specific multi-user toilet room.	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.
32	Women's Toilet Room (Balcony Level)	The paper towel dispenser is 49" AFF above a 16" deep round waste receptacle.	Towel dispenser is mounted outside of reach range.	4.1.3(11) 4.22.7 4.27.3	Defendant will provide compliant mounting height of dispenser.

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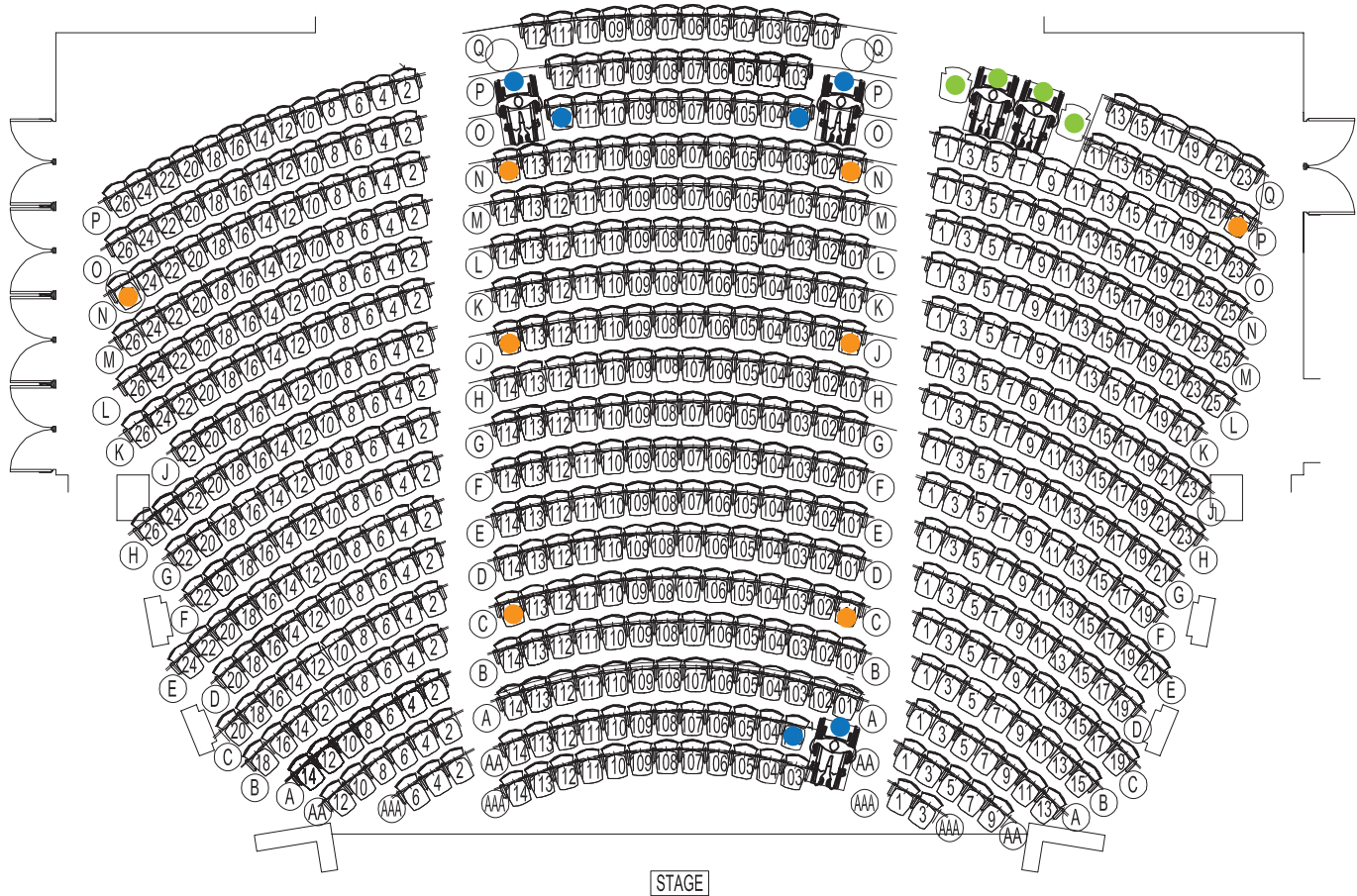
Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
33	Women's Toilet Room Adjoining Toilet Room (Balcony Level)	The paper towel dispenser is 55" AFF. Although some paper towels are also stacked on the window sill at 35" AFF, that does not provide equivalent facilitation.	Towel dispenser is mounted outside of reach range.	4.1.3(11) 4.22.7 4.27.3	Defendant will provide compliant mounting height of dispenser.
34	Box Office	There are 5 pairs of 31" wide doors that provide only 28" clear width at the main entry.	Clearance width less than 32" at doorway (or active leaf of double door).	4.13.5 4.1.3(7) Fig. 24	Automatic doors have been provided during course of investigation.
35	Box Office	Exit door #4 between theatre & box office has no center mullion and, therefore provides 54" clear width when both doors are open (still insufficient width with only one door open). The panic hardware is 33" AFF and the clear width between the panic bars is 44" with both doors open.	Clearance width less than 32" at doorway (or active leaf of double door).	4.13.5 4.1.3(7) Fig. 24	The entrance to, and the exit from, the theater is through the alleyway east of the Box office, where theater personnel are at all times located to assist the public.
36	Box Office	There is no folding armrest signage.	No signage is provided at the ticket office notifying patrons of the availability of seating with folding or removable armrests.	4.1.3(19)(a)	Defendant will provide compliant signage.
37	Box Office		No signage is provided at the ticket office notifying patrons of the availability of an assistive listening system.	4.1.3(19)(b) 4.33 4.30.7, Fig. 43(d)	Defendant has provided ALS, and will continue to do so. Defendant shall post signage advising patrons of the availability of ALS.
38	Box Office	The ticket sales counters are 41" AFF and 44" AFF.	Sales, service, or information counter is higher than 36" AFF at cash register(s) for sales or distribution of goods or services to the public.	7.2(2) 4.3	Defendant will provide compliant ticket counter.

Exh. 1B Architectural Modifications to Brooks Atkinson Theater

Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
39	Building	There are no visual alarm signaling devices in this building.	There is no obvious alarm system in the building. If building has an audible alarm system, visual signaling devices are required.	4.1.3(14)	Visual alarms are not permitted in this facility.
40	Building	There are no raised letter and Braille signs where required (exits, entrance to auditorium, toilet rooms, etc.).	Raised letter and Braille signs are not provided in all places required by the ADA Standards (including, at least, all emergency exits, toilet rooms, and numbered rooms)	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.
41	Orchestra Level (Exit #8)	Exit door #8 has a 2.5" drop in the direction of travel.	Exit route is not accessible due to a step at the door.	4.5.2	Defendant will provide compliant floor transition at Exit #8.
42	Orchestra Level (Accessible Toilet Room)	Toilet room is 61" deep from wall adjacent to water closet to lavatory wall. This leaves less than 30" clear between front edge of lavatory and side of water closet and far less than the 60" required in an alcove placement.	Toilet room is 61" deep from wall adjacent to water closet to lavatory wall. This leaves less than 30" clear between front edge of lavatory and side of water closet and far less than the 60" required in an alcove placement.	4.2.4 4.19.3	Defendant will provide compliant clearance.
43	Orchestra Level (Accessible Toilet Room)	The rear grab bar is 24" long, located 8" from the side wall.	Rear grab bar < 36" long and is not within 6" of side wall.	4.1.3(11) 4.22.4 4.17.6 4.26 Fig.30	Defendant will provide compliant rear grab bar.
44	Orchestra Level (Accessible Toilet Room)	The side grab bar is 24" long, located 8" from the rear wall extending to 32" from rear wall instead of 54" minimum. Door and vertical element at side wall complicate solution.	Side grab bar is less than 42" long.	4.1.3(11) 4.22.4 4.17.6 4.26 Fig. 30	Defendant will provide compliant side grab bar, and extend and coordinate grab bar with existing building pipe riser.
45	Orchestra Level (Accessible Toilet Room)	The water closet is 22" from centerline to side wall.	The centerline of the water closet is more than 18" from the side wall.	4.1.3(11) 4.22.4 4.17.2 4.16 Fig.30	Defendant will relocate water closet at compliant distance from the side wall.
46	Orchestra Level (Accessible Toilet Room)	Missing signage.	There is no raised lettering and Braille room identification sign provided at this unisex single user toilet room	4.1.3(16)(a) 4.30.1 4.30.4 4.30.5 4.30.6	Defendant will provide compliant signage.

Exh. 1B Architectural Modifications to Brooks Atkinson Theater

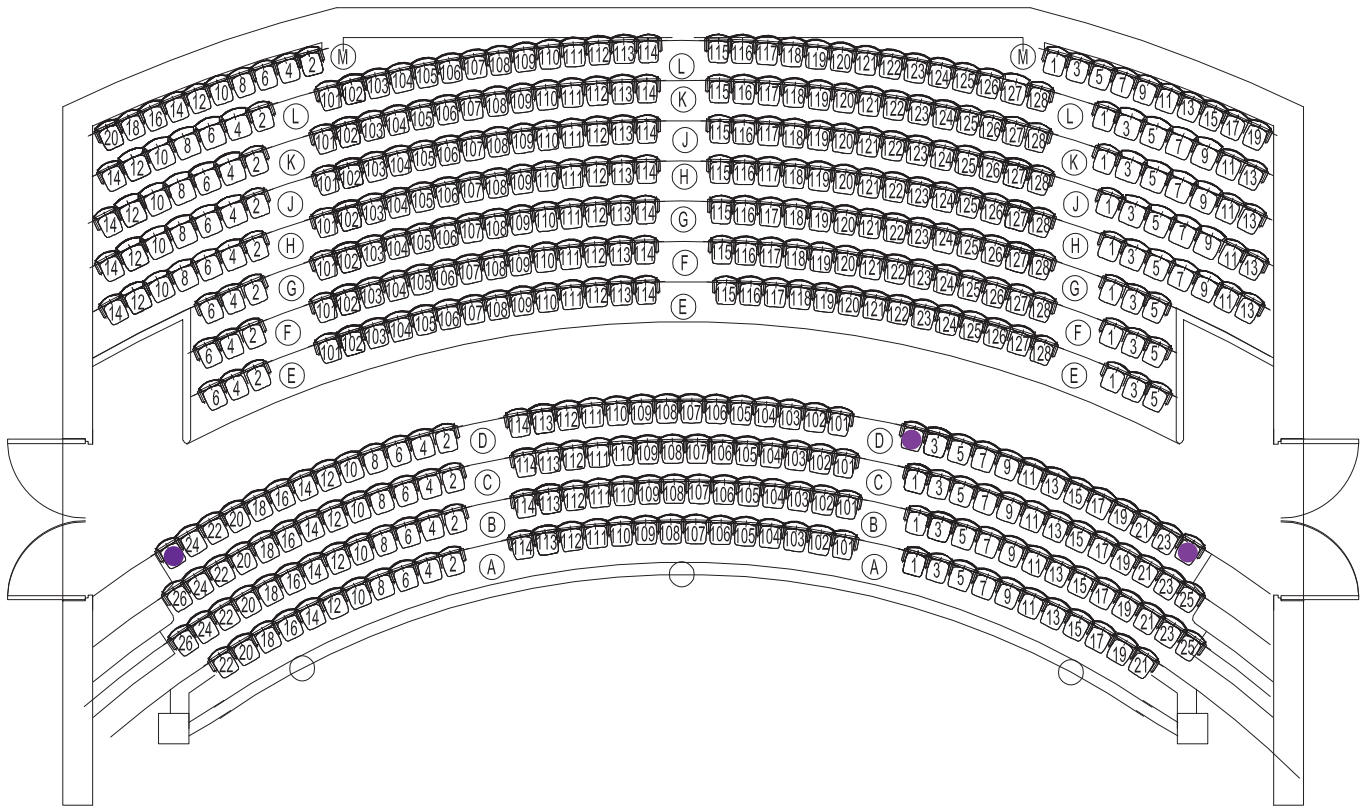
Line #	Location Description	Existing Condition	Barrier Description	1991 Standards Reference	Architectural Modification
47	Orchestra Level (Accessible Toilet Room)	The toilet paper dispenser is located 3" above the side grab bar which blocks access. The current Standards show 18" clear minimum in Figure 39(d). Under New ADAAG, where the dimension is most clearly specified, at least 12" must be maintained.	Toilet paper dispenser obstructs grab bar.	4.26.2 Fig. 39(d) 2010 ADAAG 604.7	Defendant will install compliant toilet dispenser.
48	Orchestra Level (Accessible Toilet Room)	The lavatory rim height is 37" AFF, knee space is 24" AFF.	Wall-mounted lavatory has rim above 34" AFF with less than 29" minimum AFF knee clearance at front and 27" minimum AFF at 8" deep.	4.1.3(11) 4.22.6 4.19.2, Fig. 31	Defendant will provide compliant lavatory.
49	Building	There is no directional signage to the accessible toilet room.	No directional signage to nearest accessible toilet room at inaccessible toilet rooms.	4.1.2(7)(d) 4.1.6(3)(e)(iii)	Defendant will provide compliant signage.
50	Toilet Rooms		Not all toilet fixtures (water closets) are accessible.	4.1.3(11) 4.1.6(3)(e)(i)	Accessible fixtures are provided at each toilet room of the theater.



Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

NOTE: At the Brooks Atkinson, 2 wheelchair seating and companion locations, and all 11 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row. 3 wheelchair seating and companion locations are sold at the lowest price.



Legend

- EXISTING AISLE TRANSFER SEAT
- NEW AISLE TRANSFER SEAT
- EXISTING WC/C LOCATION
- NEW WC/C LOCATION

NOTE: At the Brooks Atkinson, 2 wheelchair seating and companion locations, and all 11 aisle transfer seating locations, are sold at the same price as adjacent seating locations in the same row. 3 wheelchair seating and companion locations are sold at the lowest price.